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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/521,459

09/21/2005

Jurgen Tanner

TANN3001/FJD

8953

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EXAMINER

DAVIS, OCTAVIA L

ART UNIT

PAPER NUMBER

2855

MAIL DATE

DELIVERY MODE

05/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/521,459

Applicant(s)

TANNER, JURGEN

Examiner

Octavia Davis

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 13-21, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/18/05 (1, 2 and replacement Fig. 3) is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Acknowledgment is made of applicant's preliminary amendment filed 1/18/05.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 13 – 21, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Eckert et al (5,737,963).

Regarding claim 13, Eckert et al disclose an ultrasonic transducer comprising a housing element 2 with a first thread, and a second element 1 with a second thread, which is complementary to the first thread and is engaged therewith, said housing element and said second element are twistable relative to one another about the axis of the two threads, the twisting causes a change of the axial position of one with respect to the other due to the pitch of the threads, wherein a twist limiting feature 5, 7, 8 limits the twistability of said housing element relative to said second element to an angular range, and said twist limiting feature comprises two axial barriers 7, 8, so that the axial position of said housing element relative to said second element is limited to a range between two extreme positions determined by said axial barriers (See Col. 3, lines 43 – 46 and 57 – 60, Col. 4, lines 54 – 57 and Col. 5, lines 21 – 25).

Regarding claim 14, said axial barriers 7, 8 are so arranged, that the difference between the extreme positions corresponds to the axial shift caused, for given thread pitch, by a twisting of said housing element relative to said second element by the maximum allowable angle of twist (See Col. 5, lines 21 – 25).

Regarding claim 15, said housing element 2 includes at least two cylindrical sections of differing radii (See Fig. 1), whose axis of rotation is aligned with the axis of the threads, and between the at least two sections of differing radii, a radial step(s) 31, 32, 33 is formed, which serves as an axial stop surface for an axial barrier of said twist limiting feature (See Col. 4, lines 28 – 36).

Regarding claims 16 - 18, said housing element 1 includes a cylindrical section, whose lateral surface includes an inwardly extending annularly running groove(s) 312, 323 and is bounded in the axial direction by first and second radial steps 31, 32, 33, and said first and second radial steps each serve for one of said two axial barriers 7, 8 (See Col. 4, lines 53 – 57 and 60 – 65).

Regarding claims 19 – 21, said twist limiting feature further comprises a coupling element 13, which is engaged both with said radially outwardly extending groove 323 and with said radially inwardly extending groove 312, said coupling element comprises an annular surface and a flexible member 16 (See Col. 3, lines 64 – 67).

Regarding claims 23 and 24, the second element 1 is a sensor housing element (See Col. 3, lines 42 – 48).

Allowable Subject Matter

3. Claim 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The primary reasons for allowance is that there cannot be ascertained prior art that anticipates or makes obvious the provisions of "the sum of the first breadth and the second breadth, minus twice the axial thickness, corresponds to the axial shift".

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lightman et al (5,810,828) disclose an adjustable depth drill guide.

Wolf et al (4,500,300) disclose a rotationally elastic coupling.

Pawlak (6,557,431) disclose a fail safe ball screw.

Lochmoeller (5,088,339) discloses a limit stop assembly for a screw and nut linear actuator.


Courgeon (5,490,751) discloses a fastening device with a removable axial

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Octavia Davis whose telephone number is 571-272-2176. The examiner can normally be reached on Mon through Fri from 9 to 5. The examiner can also be reached on alternate Fridays.

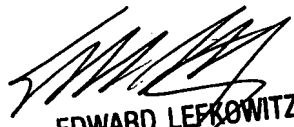
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz, can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


OD/2855

5/9/07


EDWARD LEFKOWITZ
SUPERVISORY PATENT EXAMINER
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